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APRIL 24, 2012

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SUMMARY MINUTES
REGULAR COUNCIL MEETING

April 24, 2012

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, April 24, 2012, beginning at 7:11 p.m.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

Note: The actual agenda and all backup materials for each City Council meeting can be found at: www.northmiamifl.gov

Flag salute led by Assistant Chief Larry Juriga

Inspirational Message

♦ Pastor Sejour

ROLL CALL

Councilwoman Steril	Here
Councilman Galvin	Here
Mayor Pierre	Here
Vice Mayor Marcellus	Here
Councilman Blynn	Here

Additions, Deletions or Withdrawals

(NONE)

SPECIAL PRESENTATION(s)

♦ Presentation to honor *FIU First Generation Scholars*

Mayor Pierre recognized Dr. Lumane Pluviose-Claude, Deputy City Manager and Miguel Seco, Governmental Affairs Manager; giving a brief presentation to Council regarding *FIU First Generation Scholars*. Dr. Claude and Mr. Seco recognized Mayor and Council; Stephen Moore, Vice Provost for FIU; Jan Solomon, Development Director; Nicole Kaufman, Staff; Danya Rivero, External

Affairs; Mikhail Figerado, Director of First Generation Scholarships Program at FIU; Juan M. Ortiz, CEO, Navarro Pharmacy and Danny Lama, Maria Gordian, Carla Wortman, and Javier Gonzalez, representing the Navarro Team; North Miami First Generation Scholars and their families; FIU teachers; Dr. Klein; and anyone involved in the First Generation Scholarship Program. Dr. Claude and Mr. Seco reviewed criteria for FIU First Generation Scholars. Mayor and Council presented certificates to Navarro Pharmacy recognizing their contribution to the FIU First Generation Scholarship Program.

◆ Proclamation in honor of *Children's Day*

Mayor Pierre presented a Proclamation, to *Lucia Gonzalez, Library Manager*, in honor of *Children's Day*; Whereas Mayor Pierre proclaimed April 24, 2012, to be *Children's Day*, in the City of North Miami. Ms. Gonzalez gave a brief report regarding the Children's Day at the North Miami Public Library.

◆ Proclamation in honor of *National Financial Literacy Month*

Mayor Pierre presented a Proclamation, to *Vernon Paul, Finance Director*, in honor of *National Financial Literacy Month*; Whereas Mayor Pierre proclaimed April, 2012, to be *National Financial Literacy Month*, in the City of North Miami. Mr. Paul gave a brief report regarding the *National Financial Literacy Month* in the City of North Miami.

◆ Proclamation in honor of *Fair Housing Month*

Mayor Pierre presented a Proclamation, to *Rob Collins, Housing Opportunist Project for Excellence*, in honor of *Fair Housing Month*; Whereas Mayor Pierre proclaimed April, 2012, to be *Fair Housing Month*, in the City of North Miami. Mr. Paul gave a brief report regarding the *Fair Housing Act*.

◆ Presentation by *Florida Department of Transportation Staff and Consultants* regarding recommended improvements to the NE 125 Street/NE 6th Avenue/West Dixie Highway Intersection – *Project Manager: Alejandro Martinez*

Mayor Pierre recognized *Alicia Gonzalez, Public Information Consultant for the Florida Department of Transportation; Alejandro Martinez, Project Manager for the Florida Department of Transportation; and Fadie Hassar, Consultant Project Manager*; giving a brief presentation regarding recommended improvements in the City of North Miami. Council discussion.

CITY EVENTS – ANNOUNCEMENT

Pam Solomon, Public Information Officer, announced upcoming events for the City of North Miami.

- Mayor John Stembridge gave a brief presentation to Council regarding the presentation by the Florida Department of Transportation.

CONSENT AGENDA

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – April 10, 2012

TAB B – PROPOSED RESOLUTION AUTHORIZING THE SUBMITTAL OF AN APPLICATION AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND THE UNITED STATES DEPARTMENT OF JUSTICE FOR GRANT FUNDS FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

TAB C – PROPOSED RESOLUTION AMENDING THE FISCAL YEAR 2011-2012 ADOPTED AMENDED REVENUE AND EXPENSE BUDGETS TO INCLUDE THE RECEIPT AND APPROPRIATION OF GRANT FUNDING IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) FROM THE U.S. HOUSING AND URBAN DEVELOPMENT (HUD) NEIGHBORHOOD STABILIZATION PROGRAM 2 (NSP2)

Councilman Blynn moved to approve the Consent Agenda, Tabs A through C, seconded by Councilman Galvin; passed unanimously.

PUBLIC HEARINGS – ORDINANCES, RESOLUTIONS, ZONING, LAND USE ITEMS, ETC.

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING

TAB D - PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 19 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “UTILITIES,” UNDER ARTICLE VIII,

ENTITLED "ANNUAL UTILITY RATE INDEX ADJUSTMENT," SPECIFICALLY AT SECTION 19-248, ENTITLED "RATE INDEX ADJUSTMENT" TO REPLACE THE USE OF THE CONSUMER PRICE INDEX (CPI) WITH A CONSERVATION BASED RATE STRUCTURE PLAN, AS ADOPTED BY RESOLUTION OF THE MAYOR AND CITY COUNCIL, IN COMPLIANCE WITH STATE AND LOCAL REGULATORY REQUIREMENTS

Michael Etienne, Esquire, City Clerk, read the Ordinance title for the record. Lengthy public discussion. Council discussion. Stephen Johnoson, City Manager; and Aleem Ghany, Public Works Director; gave a brief reports to Council. Robert Chambers, Black and Veatch, gave a brief report to Council. Vice Mayor Marcellus moved to approve the Ordinance, seconded by Mayor Pierre; passed 3-2, by roll call vote. Councilman Blynn and Councilman Galvin denied.

TAB E – PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 19 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "UTILITIES", SPECIFICALLY AT SECTION 19-76 ENTITLED "DEFINITIONS", SECTION 19-77 ENTITLED "BACKFLOW PREVENTION DEVICES REQUIRED", SECTION 19-80 ENTITLED "INSTALLATION OF BACKFLOW PREVENTION", AND SECTION 19-81 ENTITLED "INSPECTIONS", TO ASSIGN THE RESPONSIBILITY FOR THE MAINTENANCE, REPLACEMENT AND REPAIR OF BACKFLOW PREVENTION DEVICES TO THE SERVICING PROPERTY OWNER

Mr. Etienne read the Ordinance title for the record. Councilman Blynn moved to approve the Ordinance, seconded by Mayor Pierre; for discussion. Public discussion. Council voted; passed unanimously, by roll call vote.

TAB F – PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 29, OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 3, DIVISION 2 ENTITLED "GENERAL DEVELOPMENT REVIEW PROCEDURES", SPECIFICALLY AT SECTION 3-212 F ENTITLED "CERTIFICATE OF USE FEE", TO ALLOW FOR THE PRORATION OF THE FEE WHEN A NEW CERTIFICATE OF USE IS OBTAINED BETWEEN THE DATES OF APRIL 1ST AND SEPTEMBER 30TH OF EACH YEAR

Mr. Etienne read the Ordinance title for the record. No public discussion. Councilman Blynn moved to approve the Ordinance, seconded by Councilman Galvin; passed unanimously, by roll call vote.

REQUESTS – PETITIONS – COMMUNICATIONS

TAB G - DISCUSSION REGARDING THE MUSEUM OF CONTEMPORARY ART (MOCA)

Mr. Etienne read the title for the record. Mr. Johnson gave a brief report to Council. Rich Heisenbottle, Architects along with Gwathmey Siegel; gave a brief report to Council. Council discussion.

CITIZENS' FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Various items of interest presented by Council.

CITY CLERK'S REPORT

(NONE)

CITY MANAGER'S REPORT

Mr. Johnson gave a brief report to Council regarding:

- Waste Pro
- Recent visit to New York-New Jersey to see a sight built by Richard LeFrack
- Biscayne Landing site negotiations

CITY ATTORNEY'S REPORT

(NONE)

ADJOURNMENT

Meeting adjourned at 10:21 p.m.